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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JESSE CANTU, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

DFO, LLC., a Delaware limited liability  
company; DENNY'S CORPORATION, a  
Delaware corporation; DENNY'S, INC., a  
Florida corporation; and DOES 1 through  
10, inclusive,

Defendants.

Case No. 2:23-cv-03696-FMO-AFM  
Assigned to Hon. Fernando M. Olguin

**PLAINTIFF'S NOTICE OF  
DISMISSAL WITHOUT PREJUDICE  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 41(a)(1)(A)(i)**

1 TO THE COURT, CLERK AND ALL PARTIES OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff Jesse Cantu (“Plaintiff”) respectfully  
3 requests dismissal of the instant action pursuant to Rule 41(a)(1)(A)(i) of the Federal  
4 Rules of Civil Procedure *without prejudice* as to Plaintiff’s individual claims, and *without*  
5 *prejudice* as to the putative class. Defendant has not filed or served an answer to  
6 Plaintiff’s Complaint, nor filed a motion for summary judgment.

7  
8 Dated: February 15, 2024

PACIFIC TRIAL ATTORNEYS

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10 By: /s/ Scott J. Ferrell  
11 Scott J. Ferrell  
12 Attorney for Plaintiff  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 15, 2024, I electronically filed the foregoing **PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Scott J. Ferrell Esq.  
Scott J. Ferrell, Esq.